

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Amanda Daly nee Turiano,
317 Felix Rd.
Huntingdon Valley, PA 19006

And

Robert Turiano & Margie Turiano,
individ. & as H/W
317 Felix Rd.
Huntingdon Valley, PA 19006

Plaintiffs,

v.

Navient Corporation
f/k/a Sallie Mae, Inc.
2711 Centerville Rd., Suite 400
Wilmington, DE 19808

And

Sallie Mae, Inc.
300 Continental Dr.
Newark, DE 19713

And

Citibank, N.A.
399 Park Ave.
New York, NY 10043

And

John Does 1-10

Defendants.

NO.:

JURY TRIAL DEMANDED

CIVIL ACTION COMPLAINT

I. Jurisdiction and Venue

1. Jurisdiction in this Honorable Court is based on diversity conferred by 28 USC §1332; supplemental jurisdiction over state law claims is granted by 28 USC §1367.
2. Venue is proper in this judicial district pursuant to 28 U.S.C. §1391(b) in that the events giving rise to Plaintiff's claims occurred in this District.

II. Parties

3. Plaintiff, Amanda Daly nee Turiano is an adult individual and Pennsylvania citizen residing at the above captioned address.
4. Plaintiffs, Robert Turiano and Margie Turiano, are married, adult individuals and Pennsylvania citizens residing at the above captioned address.
5. Defendant, Navient Corporation, is a corporation formerly known as Defendant, Sallie Mae, Inc., maintaining principal places of business at the above captioned addresses. Defendants are citizens of Delaware.
6. Defendant, Citibank, N.A., is a corporation, maintaining a principal places of business at the above captioned addresses. Defendant is a citizen of New York.
7. Defendants, John Does 1-10, is a moniker/fictitious name for individuals and entities currently unknown but will be substituted when known, as affiliated, associated or liable hereunder for the reasons set forth below or inferred therefrom. Each of these parties are incorporated as Defendants in each and every count and averment listed above and below. Upon information and belief, Defendants, John Does, were agents, servants, workmen, or employees of Co-Defendant, liable to Plaintiffs hereunder.

III. Factual Allegations

8. Around 2006, Plaintiff, Amanda Daly nee Turiano received two (2) student “KeystoneBEST” loans from Defendant, Citibank, N.A., of approximately \$5,500 towards attending Saint Joseph’s University. Amanda’s father, Robert Turiano co-signed for the loans.
9. “KeystoneBEST” loans which were advertised as the “most affordable student loan option.” The program advertised that it could “save borrowers as much as \$1,200 over the life of the loan.”
10. The incentive program also said Plaintiff would receive a .5 percent reduction in her interest rate after she completed 24 months of repayment without becoming more than 14 or more days past due.
11. Additionally, the program said Plaintiff would receive a two (2) percent reduction in her interest rate after she completed 36 months of repayment without becoming more than 14 or more days past due.
12. Plaintiff subsequently made 24 consecutive timely payments of approximately \$125 per month. Citibank did not honor the aforesaid .5 percent interest rate reductions.
13. Plaintiff subsequently made 34 consecutive timely payments of approximately \$125 per month.
14. On or about September 17, 2011, Citibank sold Plaintiff’s loans to Defendant, Sallie Mae.
15. Plaintiff then made two (2) more timely payments to Sallie Mae.
16. At which time, Sallie Mae refused to honor the aforesaid two (2) percent and .5 percent interest rate reductions.
17. Around October 2013, Plaintiff’s loans began being serviced by Defendant, Navient.

18. Navient's refusal to honor the aforesaid interest rate reductions is ongoing.

COUNT I

UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION LAW ("UTPCPL")

19. Plaintiffs incorporate by reference all prior paragraphs as if fully set forth at length herein.

20. The UTPCPL proscribes, *inter alia*, engaging in any "unfair or deceptive acts and practices" either at, prior to, or subsequent to a consumer transaction.

21. The actions of Defendants constitute unfair or deceptive acts and practices under the UTPCPL.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully pray that judgment be entered against the Defendant for the following:

- a. Actual, punitive and compensatory damages;
- b. Statutory and treble damages;
- c. Costs and attorney's fees; and
- d. Such other and further relief as the Court may deem to be just and proper, including equitable relief in the form of an injunction.


WEISBERG LAW

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